## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LLOYD WILLIAMS, on behalf of himself

and all others similarly situated,

•

Plaintiff,

CASE NO. 2:19-cv-05252-JMG

v.

•

ENCORE CAPITAL GROUP, INC., MIDLAND CREDIT MANAGEMENT, INC., MIDLAND FUNDING, LLC

:

Defendants.

## **MOTION TO STAY PROCEEDINGS**

Defendants Encore Capital Group, Inc., Midland Credit Management, Inc. and Midland Funding LLC respectfully move the Court to stay this case pending the Third Circuit's upcoming decision in *Michael Lutz v. Portfolio Recovery Associates, LLC*, No. 21-1656, for the reasons more fully set forth in the accompanying Memorandum of Law.

I certify that I met and conferred with counsel for Plaintiff regarding this Motion and the relief it requests. After discussion, Plaintiff does not consent to this Motion or to the relief requested.

WHEREFORE, Defendants Encore Capital Group, Inc., Midland Credit Management, Inc. and Midland Funding LLC respectfully request that this Honorable Court grant their Motion and stay this case pending the Third Circuit's decision in *Michael Lutz v. Portfolio Recovery Associates*, *LLC*, No. 21-1656.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: <u>/s/ Lauren M. Burnette</u>

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Dated: August 26, 2021

## **CERTIFICATE OF SERVICE**

I certify that on August 26, 2021, a true copy of the foregoing document was served on all counsel of record by electronic service.

## MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette

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Dated: August 26, 2021